

REMARKS

In response to the above-identified Office Action, which rejected all pending claims 1, 2, 8-12, and 24-26, Applicant seeks reconsideration in view of the following remarks and the amendments reflected in the claim listing above. Claims 1, 2, 8-12, and 24-26 have been cancelled without prejudice. Claims 27-38 are new. No new matter has been added. After entry of the forgoing amendment, claims 27-38 remain pending in the application.

I. Election/Restriction

The Examiner contends that previously submitted claim 26 (now cancelled) is directed to a distinct invention, and that the first group (Group I) has been constructively elected. Applicants disagree, but in the interest of compact prosecution have replaced the previously pending claims with new claims that further clarify the nature of the present invention.

II. Claim Rejections – 35 U.S.C. §103

Claims 1, 2 8-12, and 25 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. Pub No. 2002/0089958 (“Feder”) in view of U.S. Pat. No. 5,509,027 (“Vook”). These rejections are respectfully traversed. None of the cited references, taken alone or in combination, include each and every element of the pending claims.

Feder does not, for example, disclose a system "wherein the switching hub includes a routing list correlating the mobile unit destination addresses to associated access points" and "the access point acts as a conduit between the switching hub and the mobile units **without monitoring** the mobile unit destination address within the data packets" as recited in independent claim 27.

Feder, as the Examiner points out, *does* disclose the use of connection tables (Tables 1-3); however, the connection table in the access point of Feder (Table 1) must be consulted to effect delivery of messages, and the access points themselves must therefore monitor the mobile unit address within the data packets to determine the address of the end-user modem. Stated another way, the access points of Feder do not act as "conduits." They use the connection ID (CID) and wireless modem address (WM) values to route the data to the correct wireless modem.

As described at column 10, lines 22-53 of Feder, the APs perform MAC layer bridging "on behalf of end systems whose MAC addresses are present in the table." Thus, the AP of Feder is not unlike traditional "fat" APs that incorporate a wide range of functionality, including the routing of messages. In contrast, the present invention discloses what are now known as "thin" access points -- i.e., access points that have reduced MAC layer functionality and are connected to a switching hub by, for example, a wired Ethernet. By handling addressing of packets within the hub, rather than in the AP, the AP is greatly simplified and is significantly faster.

Vook fails to cure the defects of Feder with respect to the above elements of claim 27. Claims 28-38 variously depend from claim 27, and are thus non-obvious for at least the reasons set forth above. Accordingly, Applicants respectfully submit that neither reference, taken alone or in combination with any other art or record, would not include each and every element of the independent claims as currently amended, and furthermore that there is no motivation to combine this reference with the prior art. As the remaining claims variously depend from the independent claims, these claims are also non-obvious for at least the reasons set forth above. Applicants therefore request that the Section 103 rejections be withdrawn.

III. Conclusion

In view of the foregoing, it is believed that all claims now pending are in condition for allowance. A Notice of Allowance is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (480) 385-5060 or dpote@ifllaw.com.

If necessary, the Commissioner is hereby authorized to charge payment or credit any overpayment to Deposit Account No. 50-2091 for any fees required under 37 C.F.R. §§ 1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,
Ingrassia, Fisher & Lorenz

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By /DANIEL R. POTE/
Daniel R. Pote
Reg. No. 43,011
(480) 385-5060